

Docket Number: TEE 2000-1

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Applicant or Patentee: Terry Erisman

Application or Patent No.: N/A

Filed: 4/28/00

Title: *Method and Apparatus for Auctioning Items*

I hereby declare that I am:

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Tee It High.com, Inc.

ADDRESS OF SMALL BUSINESS CONCERN: 222 Palmer Drive, Los Gatos, CA 95032

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:
 no such person, concern, or organization exists.
 each such person, concern, or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Terry Erisman

TITLE OF PERSON IF OTHER THAN OWNER: President and CEO

ADDRESS OF PERSON SIGNING: 222 Palmer Drive, Los Gatos, CA 95032

SIGNATURE: Terry Erisman DATE 4-28-00

DECLARATION FOR PATENT APPLICATION /POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, citizenship and post office address is as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled Method and Apparatus for Auctioning Items, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

J. Nicholas Gross, Esq.

Please address all telephone calls to J. Nicholas Gross, Esq. at telephone number (415) 551-8298

address all correspondence to J. Nicholas Gross, Esq., 1385 Mission St., Suite 240, San Francisco, CA 94103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor (given name, family name) Terry Erisman

Inventor's signature Terryance L. Erisman Date 4-28-00

Citizenship: USA

Residence: 222 Palmer Drive, Los Gatos, CA 95032

Post Office Address: 222 Palmer Drive, Los Gatos, CA 95032